

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Sheron Jenkins, #289702, aka Shernon	)	
Jenkins,	)	C/A No. 4:08-1971-MBS
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Magistrate Judge Robert S. Carr, to Uphold	)	
and Enforce the Law; Judge Sol Blatt;	)	<b>ORDER</b>
the United States of America; the United	)	
States of America Attorney General,	)	
	)	
Defendants.	)	
	)	

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Plaintiff Sheron Jenkins is an inmate in custody of the South Carolina Department of Corrections. He currently is housed at the Ridgeland Correctional Institution in Ridgeland, South Carolina. On May 21, 2008, Plaintiff, appearing pro se, filed a complaint seeking the issuance of arrest warrants against various individuals for alleged federal and state law violations.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Thomas E. Rogers, III for pretrial handling. The Magistrate Judge reviewed the complaint under the 28 U.S.C. §§ 1915 and 1915A and the Prison Litigation Reform Act. On June 6, 2008, the Magistrate Judge issued a Report and Recommendation in which he recommended that the complaint be summarily dismissed because, among other things, (1) Defendants Blatt and Carr have judicial immunity; and (2) Plaintiff lacks standing to sue the United States for failing to institute criminal actions against certain individuals. The Magistrate Judge further recommended that the case be deemed a “strike” for purposes of the “three strikes rule” of 28 U.S.C. § 1915(g). Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record. The court adopts the Report and Recommendation and incorporates it herein by reference. The case is dismissed with prejudice and without issuance and service of process. The case shall be deemed a “strike” for purposes of the “three strikes rule” of 28 U.S.C. § 1915(g).

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina

July 1, 2008

**NOTICE OF RIGHT TO APPEAL**

**Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.**